

**MO-NIQUE FEAGIN,**

**Plaintiff,**

**v.**

**BLOCKBUSTER, INC.,**

**Defendant.**

**THIS MATTER** comes before the Court on its own motion. On September 23, 2010, Defendant Blockbuster, Inc. (“Defendant”) filed a Notice of Bankruptcy, (Doc. No. 6), automatically staying this action. In re Blockbuster, Inc., No. 10-14997, (Bankr. S.D.N.Y.) (Doc. No. 1). In April 2011, Dish Network Corporation purchased Defendant’s assets out of bankruptcy. The Court ordered the parties to file a joint status report on December 5, 2011. (Doc. No. 7). The Court asked the parties to address whether Plaintiff Monique Feagin’s (“Plaintiff”) claims survived Defendant’s bankruptcy, whether the stay in this case should be lifted, and whether Plaintiff must amend her complaint to name the proper party as the defendant. (Id.).

On January 4, 2012, the parties jointly responded that Dish Network purchased Blockbuster's assets, but did not assume liability on claims such as Plaintiff's suit. (Doc. No. 8). The parties further explained that the bankruptcy remained ongoing, the stay should remain in place, and that Plaintiff would eventually need to amend her complaint to name the proper party. (Id.).

In light of the length of the stay in this action, the Court hereby orders the parties to again file a joint status report within thirty days of this Order, updating the Court on the progress of

Defendant's bankruptcy and the continued viability, if any, of Plaintiff's claims.

**IT IS, THEREFORE, ORDERED** that the parties shall file a joint status report within thirty days of this Order.

Signed: August 21, 2012

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
Chief United States District Judge

